

SUMMARY MINUTES

ABAG Executive Board Meeting No. 392
Thursday, May 16, 2013
Joseph Bort MetroCenter
101 8th Street, Oakland, California

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

President Mark Luce, Supervisor, County of Napa, called the meeting to order at about 7:10 p.m.

A quorum of the Board was present.

Representatives and Alternates Present Jurisdiction

Senior Advisor Jeff Buckley	City of San Francisco
Councilmember Ronit Bryant	City of Mountain View
Councilmember Kansen Chu	City of San Jose
Supervisor Malia Cohen	County of San Francisco
Supervisor David Cortese	County of Santa Clara
Mayor Pat Eklund	City of Novato
Director Jason Elliott	City of San Francisco
Vice Mayor Richard Garbarino	City of South San Francisco
Mayor Leon Garcia	City of American Canyon
Supervisor John Gioia	County of Contra Costa
Mayor Pedro Gonzalez	City of South San Francisco
Supervisor Scott Haggerty	County of Alameda
Mayor Bill Harrison	City of Fremont
Vice Mayor Dave Hudson	City of San Ramon
Councilmember Sam Liccardo	City of San Jose
Supervisor Mark Luce	County of Napa
Supervisor Karen Mitchoff	County of Contra Costa
Mayor Julie Pierce	City of Clayton
Supervisor Dave Pine	County of San Mateo
Councilmember Joe Pirzynski	Town of Los Gatos
Mayor Harry Price	City of Fairfield
Mayor Jean Quan	City of Oakland
Supervisor David Rabbitt	County of Sonoma
Supervisor Katie Rice	County of Marin
Councilmember Libby Schaaf	City of Oakland
Supervisor Linda Seifert	County of Solano
Deputy Director Joaquin Torres	City of San Francisco

Representatives Absent

Councilmember Desley Brooks
Councilmember Ash Kalra
Director William Kissinger
Councilmember Jake Mackenzie
Supervisor Eric Mar
Supervisor Warren Slocum
Supervisor Richard Valle
Supervisor Mike Wasserman

Jurisdiction

City of Oakland
City of San Jose
RWQCB
City of Rohnert Park
County of San Francisco
County of San Mateo
County of Alameda
County of Santa Clara

President Luce led the Board and the public in the Pledge of Allegiance.

2. PUBLIC COMMENT

There was no public comment.

3. ANNOUNCEMENTS

Pat Eklund, Mayor, City of Novato, announced that she was convening a meeting of ABAG General Assembly delegates from Marin County. The first meeting is on Plan Bay Area.

There were no other announcements.

President Luce recognized a motion by Eklund, which was seconded by Julie Pierce, Mayor, City of Clayton, to add to the agenda under Item 6, ABAG Consent Calendar, the appointment of Desley Brooks, Councilmember, City of Oakland, to the Finance and Personnel Committee. The motion passed unanimously.

4. PRESIDENT'S REPORT

President Luce reported on the following:

Tim Sbranti, Mayor, City of Dublin, has resigned as Executive Board representative from the Cities in the County of Alameda.

President Luce presented a resolution in recognition of service to Patricia Jones, ABAG Assistant Executive Director, who retires on May 24, 2013.

The ABAG Spring General Assembly was held on April 18, 2013, and was considered a success. The Fall General Assembly is scheduled for October 24, 2013. Members were encouraged to submit nominations for the next annual *Growing Smarter Together Awards*.

Public hearings for Plan Bay Area have taken place and are scheduled through May. Additional outreach included editorial boards and other media.

5. EXECUTIVE DIRECTOR'S REPORT

Ezra Rapport, ABAG Executive Director, reported on the following:

The deadline for submitting Priority Conservation Area grants is July 19, 2013.

The focus of the meeting is for members to give feedback on Plan Bay Area so staff can respond to their concerns and provide clarifications before it is considered for approval at the Board's July meeting.

6. ABAG CONSENT CALENDAR

President Luce recognized a motion by Pierce, which was seconded by Linda Seifert, Supervisor, County of Solano, to approve the Consent Calendar, including the appointment of Brooks to the Finance and Personnel Committee. The motion passed unanimously.

A. Approval of Executive Board Summary Minutes**

Summary of Minutes of Meeting No. 392 held on March 21, 2013.

B. Grant Applications**

A list of grant applications was approved for submission to the State Clearinghouse, having been circulated in ABAG's "Intergovernmental Review Newsletter" since the last Executive Board meeting.

C. Authorization to Renew Agreement with Michael J. Arnold and Associates, Legislative Advocate**

Authorized renewal the agreement with Michael J. Arnold and Associates in an amount not to exceed \$60,000 to provide legislative advocacy on behalf of ABAG in Sacramento.

D. Authorization to Enter Into Agreement with Environmental Protection Agency**

Authorized approval of the annual ABAG/SFEP application for funds under the National Estuary Program and authorize the Executive Director or designee to enter into a new cooperative agreement or amendment with EPA on behalf of the San Francisco Estuary Partnership to provide technical, public involvement and administrative support in implementing the Comprehensive Conservation and Management Plan (CCMP). The agreement term will be through September 30, 2014.

7. UPDATE ON PLAN BAY AREA**

Information/ACTION. Miriam Chion, ABAG Planning and Research Director, provided an overview of the draft Plan Bay Area and EIR, and major comments and key issues to be addressed in the Plan.

Chion first announced that new Bay Trail map sets are now available and have been distributed to members.

A. Draft Plan Bay Area and EIR Highlights (Information)

Chion reviewed regional tasks and the development process of Plan Bay Area, and the preferred scenario adopted in May 2012. She reviewed growth trends, including regional growth of jobs, population, and housing units; regional growth strategy; and investments, including revenue forecast to 2040 and total transportation investments.

Rapport reviewed the purpose of the draft Environmental Impact Report and summarized and compared the Draft Plan Bay Area and alternatives, including No Project; Transit Priority Focus; Enhanced Network of Communities; and Environment, Equity and Jobs.

B. Comments on Plan Bay Area (Information)

Chion reviewed comments received.

C. Key Issues for Discussion (Information)

Chion reviewed key land use issues, including affordable housing and displacement, job growth and regional economic development, open space preservation resources, and regional resiliency and health. She listed key priorities to be addressed in the Plan and incorporating elements from the draft EIR alternatives. She listed next steps, including revision to housing and jobs distribution and update to the transportation analysis, revision to Plan document,

presentation at the ABAG Administrative Committee joint meeting with the MTC Planning Committee on June 14, 2013, and final approval at the Board joint meeting with the Metropolitan Transportation Commission on July 18, 2013.

Members discussed the schedule of upcoming meetings; reviewing comments submitted on Plan Bay Area. They provided staff with specific feedback on the Plan, including comments received from public workshops and meetings with elected officials; local control; generational differences; distribution of transportation funds; CEQA reform.

Tim Frank spoke about the benefits of the Equity and Environmental Justice alternative.

Members discussed the OBAG grant criteria; transportation infrastructure; policy issues and funding; the Plan as a planning process; emphasizing Green House Gas reduction; sea level rise analysis; and reviewing comments received and responses to the those comments.

President Luce recognized a motion by Eklund, which was seconded by Joe Pirzynski, Councilmember, City of Los Gatos, for a special meeting of the Board on June 20, 2013, to consider the draft Plan Bay Area and EIR, comments receive, and responses to those comments. The motion passed by consensus with one nay vote by Haggerty.

Members requested that staff provide the comments for their review and discussed the Plan Bay Area name.

D. SB 375 Provisions for Development Entitlement Process (Action)

Rapport reported on provisions for entitlement process related to SB 375 and CEQA and on potential regional consistency determination for projects within a Priority Development Area in the Plan and with regards to densities and intensities and place type designations, and on requirement for local consistency determination.

Members discussed local consistency determination and regional consistency determination, and CEQA benefits.

President Luce recognized a motion by Dave Hudson, Vice Mayor, City of San Ramon, which was seconded by Bill Harrison, Mayor, City of Fremont, to support the concept of including a regional consistency determination to support local options and to authorize staff to work with the Metropolitan Transportation Commission on developing language for consideration by the Board and the Metropolitan Transportation Commission. The motion passed unanimously.

President Luce recessed the meeting at about 9:00 p.m.

President Luce reconvened the meeting at about 9:10 p.m.

8. COORDINATION WITH US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

Information. Miriam Chion, ABAG Planning and Research Director, summarized correspondence with the U.S. Department of Housing and Urban Development

(HUD) and the California Department of Housing and Community Development (HCD) regarding the inclusion of locally-nominated Priority Development Areas in the Regional Housing Need Allocation methodology and limiting housing options for low-income families and impacting minorities negatively. Staff provided both HUD and HCD with detailed assessment of RHNA in relation to PDAs and concentrations of low-income households and people of color. The analysis indicates that the RHNA methodology does not promote segregation or concentrations of poverty and complies with the statutory requirements of Housing Element law.

Members discussed the methodology, the inclusion of potential and planned PDAs in the analysis, the reason for HUD and HCD's concerns, and housing for students and veterans.

9. REGIONAL HOUSING NEED ALLOCATION**

Information/ACTION. Gillian Adams, ABAG Regional Planner, presented recommendations of the RHNA Appeal Committee and an inter-jurisdictional transfer of housing units. At its meeting on April 1, 2013, the committee heard appeals from eight jurisdictions and made the following recommendations: City of Hayward—support appeal for reduction of 116 units; City of Lafayette—support appeal for reduction of 27 units; City of Mountain View—deny appeal; City of Oakley—deny appeal; City of Palo Alto—deny appeal; City of San Ramon—deny appeal; City of Saratoga—deny appeal; City of Sunnyvale—support appeal for reduction of 531 units; and consider approval of a transfer of 200 moderate-income units from City of Palo Alto to the County of Santa Clara.

Staff will release the final Regional Housing Need Allocation on June 3, 2013. The final Regional Housing Need Allocation will be considered for adoption by the Board at its meeting on July 18, 2013.

President Luce recognized a motion by Eklund, which was seconded by Harry Price, Mayor, City of Fairfield, to adopt the RHNA Appeal Committee recommendations to support the appeals by the Cities of Hayward, Lafayette, and Sunnyvale, and to deny the appeals submitted by the Cities of Mountain View, Oakley, Palo Alto, San Ramon, and Saratoga; and to approve the transfer of 200 moderate-income units from the City of Palo Alto's RHNA to the County of Santa Clara's RHNA.

Members discussed the redistribution of housing units among jurisdictions, and housing for students and veterans.

The motion passed by consensus, with one abstention by Haggerty and one nay vote by Hudson.

10. LEGISLATION & GOVERNMENTAL ORGANIZATION COMMITTEE REPORT

Information/ACTION. Committee Chair David Rabbitt, Supervisor, County of Sonoma, reported on Committee activities and asked Board approval of Committee recommendations and pending legislation, including the following: reviewed and approved the meeting minutes of March 21, 2013; considered legislation proposed in 2013 state legislative session: AB 188 (Ammiano), Property Taxation: Change in Ownership—support; AB 210 (Wieckowski), Transactions and Use Taxes: County of Alameda and County of Contra Costa—support; AB 431 (Mullins), Regional Transportation Plan: Sustainable Communities Strategy—Funding—watch; AB 523

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(Ammiano), Department of Housing and Community Development: Loans—watch; AB 738 (Harkey), Public Entity Liability: Bicycles—support; AB 1051 (Bocanegra), Housing: Sustainable Communities for All—watch; AB 1179 (Bocanegra), Regional Transportation Plan: Sustainable Communities Strategy—School-sites—oppose; AB 1229 (Atkins), Land Use: Zoning Regulations—support; SB 731 (Steinberg), California Environmental Quality Act (CEQA) and Sustainable Communities Strategy—watch; SB 299 (DeSaulnier), Firearms: Lost or Stolen—support; and reviewed amendments to legislation previously considered, including AB 1002 (Bloom), Vehicles: Registration Fee-Sustainable Communities Strategy—no change; SB 1 (Steinberg), Sustainable Communities Investment Authority—no change; SB 391 (DeSaulnier), California Homes and Jobs Act of 2013—no change; SB 792 (DeSaulnier), Regional Entities: Bay Area—oppose, unless amended.

President Luce recognized a motion Chair Rabbitt, which was seconded by Haggerty, to accept the committee report.

Members discussed the committee's recommendations on AB 188 and AB 416 which the Board referred by to committee.

The motion passed unanimously.

11. FINANCE & PERSONNEL COMMITTEE REPORT

Information/ACTION. Committee Chair John Gioia, Supervisor, County of Contra Costa, reported on Committee activities and asked Board approval of Committee recommendations, including the following: approved of meeting minutes of March 21, 2013; reviewed February and March 2013 financial reports; reviewed prospective 'Cadillac Tax' mandated as part of Affordable Care Act; and conducted Public Employee Performance Evaluation: Title: Executive Director with no reportable action.

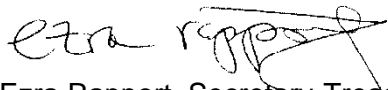
President Luce recognized a motion by Supervisor Gioia, which was seconded by Karen Mitchoff, Supervisor, County of Contra Costa, to accept the committee report. The motion passed unanimously.

12. ADJOURNMENT

President Luce adjourned the meeting of the Board at about 9:41 p.m.

The Board will have special meeting on June 20, 2013.

Submitted:



Ezra Rapport, Secretary-Treasurer

June 20, 2013

Approved

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Contact Information:

Regional Planning Committee—Miriam Chion, Planning and Research Director, at (510) 464 7919 or MiriamC@abag.ca.gov

Finance and Personnel Committee—Herbert Pike, Finance Director, at (510) 464 7902 or HerbertP@abag.ca.gov.

Legislation and Governmental Organization Committee—Kathleen Cha, Senior Communications Officer, at (510) 464 7922 or KathleenC@abag.ca.gov.

All ABAG Executive Board meetings are recorded. To arrange for review of audio recordings, contact Fred Castro, Clerk of the Board, at (510) 464 7913 or FredC@abag.ca.gov.